

## APPLICATION FOR PERMIT

Serial No. 4102

## TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Rate of first receipt and filing in State Engineer's office AUG 12 1916  
Returned to applicant for correction \_\_\_\_\_  
Corrected application filed \_\_\_\_\_

The undersigned Metropolis Land Co.  
Name of applicant.  
of Metropolis, County of Elko,  
State of Nevada, hereby make s application for  
permission to appropriate the public waters of the State of Nevada,  
as hereinafter stated. (If applicant is a corporation give date and  
place of incorporation.) \_\_\_\_\_

1. The source of the proposed appropriation is Trout Creek,  
Name of stream, lake, or other source.
2. The amount of water applied for is total flow \_\_\_\_\_ second-feet.  
One second-foot equals 40 miners' inches.
3. The water to be used for Irrigation, domestic and stock purposes  
Irrigation, power, mining, manufacturing, domestic, or other use.
4. The water is to be diverted from its source at the following  
point: This is an application to change point of diversion, etc.  
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land it should be so stated  
See supplemental sheet.

## IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is \_\_\_\_\_
- (b) Description of land to be irrigated \_\_\_\_\_  
Describe by legal subdivision, or if on unsurveyed land it

should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

Irrigation will begin about \_\_\_\_\_ and end about \_\_\_\_\_  
Month.  
\_\_\_\_\_, of each year.  
Month.

## IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is \_\_\_\_\_ horse power.
- (e) Works to be located \_\_\_\_\_  
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.

(f) Point of return of water to stream \_\_\_\_\_  
Describe in same manner as point of diversion.

(g) Remarks \_\_\_\_\_

## DESCRIPTION OF PROPOSED WORKS

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

is to be stored in reservoirs it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions:

5. Estimated cost of works \_\_\_\_\_

6. Estimated time required to construct works \_\_\_\_\_

7. Remarks \_\_\_\_\_

For use of applicant.

\_\_\_\_\_, Applicant.

By \_\_\_\_\_

Compared \_\_\_\_\_

This sheet inspected \_\_\_\_\_

\_\_\_\_\_, Engineer.

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed \_\_\_\_\_ cubic feet per second.

Actual construction work shall begin on or before \_\_\_\_\_

Proof of commencement of work shall be filed before \_\_\_\_\_

Work must be prosecuted with reasonable diligence and be completed on or before \_\_\_\_\_

Application of water to beneficial use shall be made on or before \_\_\_\_\_  
Proof of the application of water to beneficial use must be filed with State Engineer on or before \_\_\_\_\_

WITNESS MY HAND AND SEAL this \_\_\_\_\_ day  
of \_\_\_\_\_

\_\_\_\_\_  
State Engineer.

Filing Serial No. 4102.

## ORIGINAL

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION,  
PLACE OF USE AND MANNER OF USE OF WATERS,  
HERETOFORE APPROPRIATED.  
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Date of first receipt and filing in State Engineer's Office, AUG. 12, 1916.

Returned to applicant for correction SEP. 2, 1916.

Corrected application filed

The undersigned, METROPOLIS LAND CO., a corporation organized under the laws of Massachusetts, authorized to do and doing business in the State of Nevada with its principal office in Nevada at Metropolis, Elko County, Nevada, hereby makes application to change the point of diversion, place and manner of use of a portion of the waters heretofore appropriated and beneficially used as hereinafter shown.

1. The source of the water supply of the proposed change is Trout Creek.

2. The quantity of water desired to be changed is the total flow of the stream above the proposed point of diversion, except three (3) cubic feet per second, which is to be diverted at a point in the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 8, T. 39 N.R. 62 E., M.D.M., into a pipe line for the purpose of furnishing water for domestic and municipal supply to the town of Metropolis.

3. The water is to be used for irrigation, including domestic and stock purposes.

4. The water is to be diverted from its source at the following point: At the intersection of said Trout Creek and the main canal of applicant, Metropolis Land Co., in SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 19, T. 39 N.R. 62 E., M.D.M.

5. The existing points of diversion (manner of use) under the former appropriation are as follows: - points of diversion in Sections 8, 19, 30 and 31, T. 39 N.R. 63 E., M.D.M.

6. The water, herewith desired to be changed, has been beneficially and continuously used, in connection with other water from the same source, upon the following described lands, to-wit: Portions of Section 12, T. 39 N.R. 61 E., Sections 19, 29, 30, 31 and 32, T. 39 N.R. 62 E., and Sections 1 and 2, T. 38 N.R. 61 E., M.D.M.

7. The number of acres heretofore irrigated with the water, herewith desired to be changed, and other water from the same source, by and through the same system, consists of approximately 600 acres.

8. The number of acres proposed to be irrigated is approximately 600 acres.

9. A description of the land proposed to be irrigated is as follows: Portions of Sections 19 and 30, T. 39 N.R. 62 E., and portions of Sections 24 and 25, T. 39 N.R. 61 E., M.D.M.

10. The estimated cost of the proposed works is \$150.

11. The estimated time required to construct the works is one year.

12. Irrigation will begin about March 1st of each year and end about October 1st of each year.

13. The water has been used heretofore during the entire year for stock and domestic purposes, and during the months of April to September of each year for irrigation purposes.

14. Remarks: Applicant has acquired all property rights, including the land and water owned by Pacific Reclamation Company, also additional water rights. The permit sought is to enable the applicant to more scientifically and economically administer and conduct its entire system for the development, cultivation and irrigation of lands, and to conserve the water for the benefit of applicant and those who have acquired, or who may hereafter acquire lands or water rights from applicant in connection with the reservoir on Bishop Creek, and the waters of Johnson, Bishop, Trout, Spring and Burnt Creeks.

This application should be considered in connection with proofs of appropriation and maps accompanying same heretofore filed in the office of the State Engineer, and all other data heretofore filed



in the office of State Engineer concerning the waters of the above-mentioned streams and the use thereof by the Pacific Reclamation Company, its grantors or predecessors in interest, and the receiver of said company, and applicant.

METROPOLIS LAND CO.  
By W.M. Wiley, Manager.

Compared

W.M. Wiley

This sheet inspected

\_\_\_\_\_  
Engineer.



AMENDED

Filing Serial No. 4102.

(Original application was erased after return to applicant)  
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION,  
PLACE AND MANNER OF USE OF WATERS  
HERETOFORE APPROPRIATED.

Date of first receipt and filing in State Engineer's office Aug 12 1916.  
Returned to applicant for correction Sep. 2, 1916.  
Corrected application filed SEP. 8, 1916.

The undersigned, METROPOLIS LAND CO., a corporation organized under the laws of Massachusetts, authorized to do and doing business in the State of Nevada with its principal office in Nevada at Metropolis, Elko County, Nevada, hereby makes application to change the point of diversion, place and manner of use of a portion of the waters heretofore appropriated and beneficially used as hereinafter shown.

1. The source of the water supply of the proposed change is Trout Creek.

2. The quantity of water desired to be changed is twelve cubic feet per second at the proposed point of diversion.

3. The water is to be used for irrigation, including domestic and stock purposes.

4. The water is to be diverted from its source at the following point: At the intersection of said Trout Creek and the main canal of applicant, Metropolis Land Co., in S.E.  $\frac{1}{4}$  of N.E.  $\frac{1}{4}$  of Section 19, T. 39 N., R. 62 E., M.D.M.

5. The existing points of diversion (manner of use) under the former appropriation are as follows: - points of diversion in Sections 8, 19, 30 and 31, T. 39 N., R. 63 E., M.D.M.

6. The water, herewith desired to be changed, has been beneficially and continuously used, in connection with other water from the same source, upon the following described lands, to-wit: Portions of Section 12, T. 39 N., R. 61 E., Sections 19, 29, 30 31 and 32, T. 39 N., R. 62 E., and Sections 1 and 2, T. 38 N., R. 61 E., M.D.M.

7. The number of acres heretofore irrigated with the water, herewith desired to be changed, and other water from the same source, by and through the same system, consists of approximately 600 acres.

8. The number of acres proposed to be irrigated is approximately 600 acres.

9. A description of the land proposed to be irrigated is as follows:- Portions of Sections 19 and 30, T. 39 N., R. 62 E., and portions of Sections 24 and 25, T. 39 N., R. 61 E., M.D.M.

10. The estimated cost of the proposed works is \$150.

11. The estimated time required to construct the works is one year.

12. Irrigation will begin about March 1st of each year and end about October 1st of each year.

13. The water has been used heretofore during the entire year for stock and domestic purposes, and during the months of April to September of each year for irrigation purposes.

14. Remarks: Applicant has acquired all property rights, including the land and water owned by Pacific Reclamation Company, also additional water rights. The permit sought is to enable the applicant to more scientifically and economically administer and conduct its entire system for the development, cultivation and irrigation of lands, and to conserve the water for the benefit of applicant and those who have acquired, or who may hereafter acquire, lands or water rights from applicant in connection with the reservoir on Bishop Creek, and the waters of Johnson, Bishop, Trout, Spring and Burnt Creeks.

This application should be considered in connection with proofs of appropriation and maps accompanying same heretofore filed in the office of the State Engineer, and all other data heretofore filed in the office of State Engineer concerning the waters of the above-mentioned streams and the use thereof by the Pacific Reclamation Company, its grantors or predecessors in interest, and the receiver of said Company, and applicant.

METROPOLIS LAND CO.,

By W. M. Wiley  
Manager.

Compared W. M. Wiley

This sheet inspected                     

Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit, to change the point of diversion and place of use of the waters of Trout Creek, is issued with the express understanding that no prior rights will be affected thereby, and with the further understanding that no new rights are granted herewith. No definite amount of water is allowed under this proposed change, but the same is limited to that quantity, if any, which will ultimately be determined to be held by the applicant under a vested right. In view of the fact that permit No. 4101 is also issued for a change in the point of diversion and place of use of the waters of the same source herein involved, namely Trout Creek, as a further condition of this permit, it is understood that the applicant will, in the event that the vested right is determined at the time of filing proof of beneficial use of water, separate the amount beneficially used under each of the two permits. A map must also be filed, within nine months from the date of approval hereof, showing definitely the old points of diversion and places of use of water and the proposed new points of diversion and places of use, together with any other data pertaining to the proposed change.

It is understood, in issuing this permit, that the existing points of diversion under the former appropriation, are located in T. 39 N., R. 62 E., instead of T. 39 N., R. 63 E., as described in Question 5 in the application. This correction is made at this time only by reason of the fact that, among the several publications which were made of the application, a notice correctly describing the Range as 62 East was published for the statutory period required by law.

A standard headgate and weir must be installed at or near the new point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of water under this proposed change at any and all times. It is distinctly understood that the applicant agrees to the terms herein contained.

Actual construction work shall begin on or before May 1, 1918.

Proof of commencement of work shall be filed before June 1, 1918.

Work must be prosecuted with reasonable diligence and be completed on or before May 1, 1919.

Proof of completion of work shall be filed before June 1, 1919.

Application of water to beneficial use shall be made on or before July 1, 1921. Proof of the application of water to beneficial use must be filed with State Engineer on or before August 1, 1921.

WITNESS MY HAND AND SEAL this 17th day of October, 1917.

Proof of labor filed MAY 31 1918  
See map under #00608

Proof of completion of work filed JUL - 2 1919

*J. R. Sengham*  
State Engineer.

Withdrawn by applicant APR 27 1945

State Engineer  
A.T.